

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

THURSDAY, THE 21ST DECEMBER 2006 / 30TH AGRAHAYANA 1928

BAIL APPL..NO. 7601 OF 2006()

AGAINST THE ORDER IN BA.7054/2006 DATED 30/11/2006
CMP.7555/2006 OF J.M.F.C.-I,PATHANAMTHITTA
CR.NO.47/06 OF PATHANAMTHITTA EXCISE RANGE.
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PETITIONER/ACCUSED

SUNNY, S/O.JOSEPH, AGED 37 YEARS,
RESIDING AT MADATHIL VEEDU, MEENKETTUKARAYIL,
PALLIVASSAL VILLAGE, DEVIKULAM TALUK,
IDUKKI DISTRICT, NOW RESIDING AT KALINTHALEER (H),
C/O.ROY, ARANMULA VILLAGE, KOZHENCHERRY TALUK.

BY ADV. SRI.P.GOPAKUMARAN NAIR
SRI.C.S.DIAS
SRI.AJITH MURALI

RESPONDENT: COMPLAINANT

STATE OF KERALA,
REP. BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 21/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V. RAMKUMAR, J.

BAIL APPLICATION NO.7601 OF 2006

DATED THIS THE 21st DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the 2nd accused in C.R.No.47/06 of Pathanamthitta Excise Range for an offence punishable under Section 55(a) of the Abkari Act for having been found in possession of 19.5 liters of IMFL, 10 liters of coloured arrack and 39 bottles of beer on 25.10.2006, seeks his enlargement on bail. The petitioner was arrested on the same day.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 26.12.2006. Accordingly, the petitioner is directed to be released on bail with effect from 26.12.2006 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.-I, Pathanamthitta and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn